

Canadian Artists and Producers Professional Relations Tribunal

2010-2011

Departmental Performance Report

The Honourable Lisa Raitt
Minister of Labour

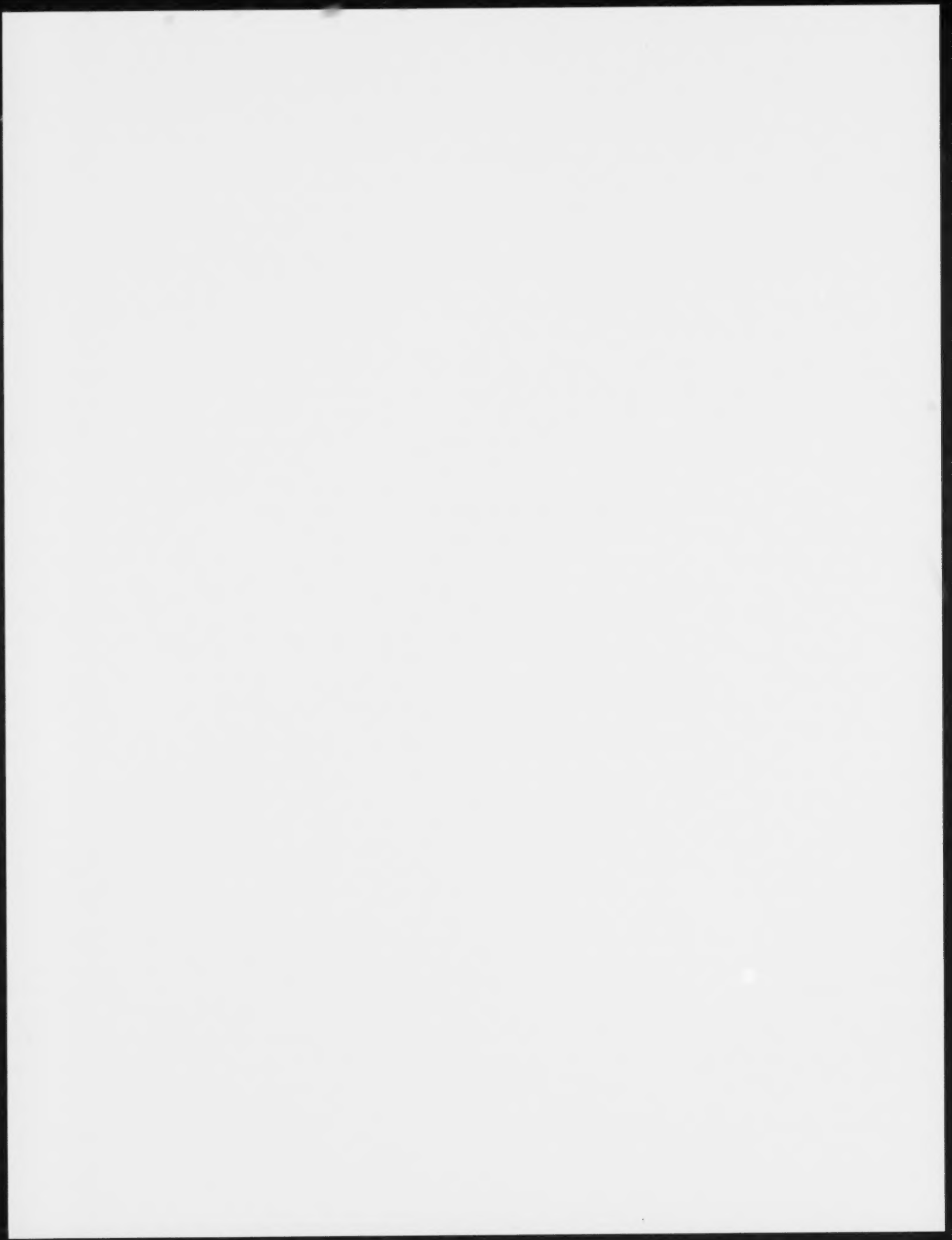
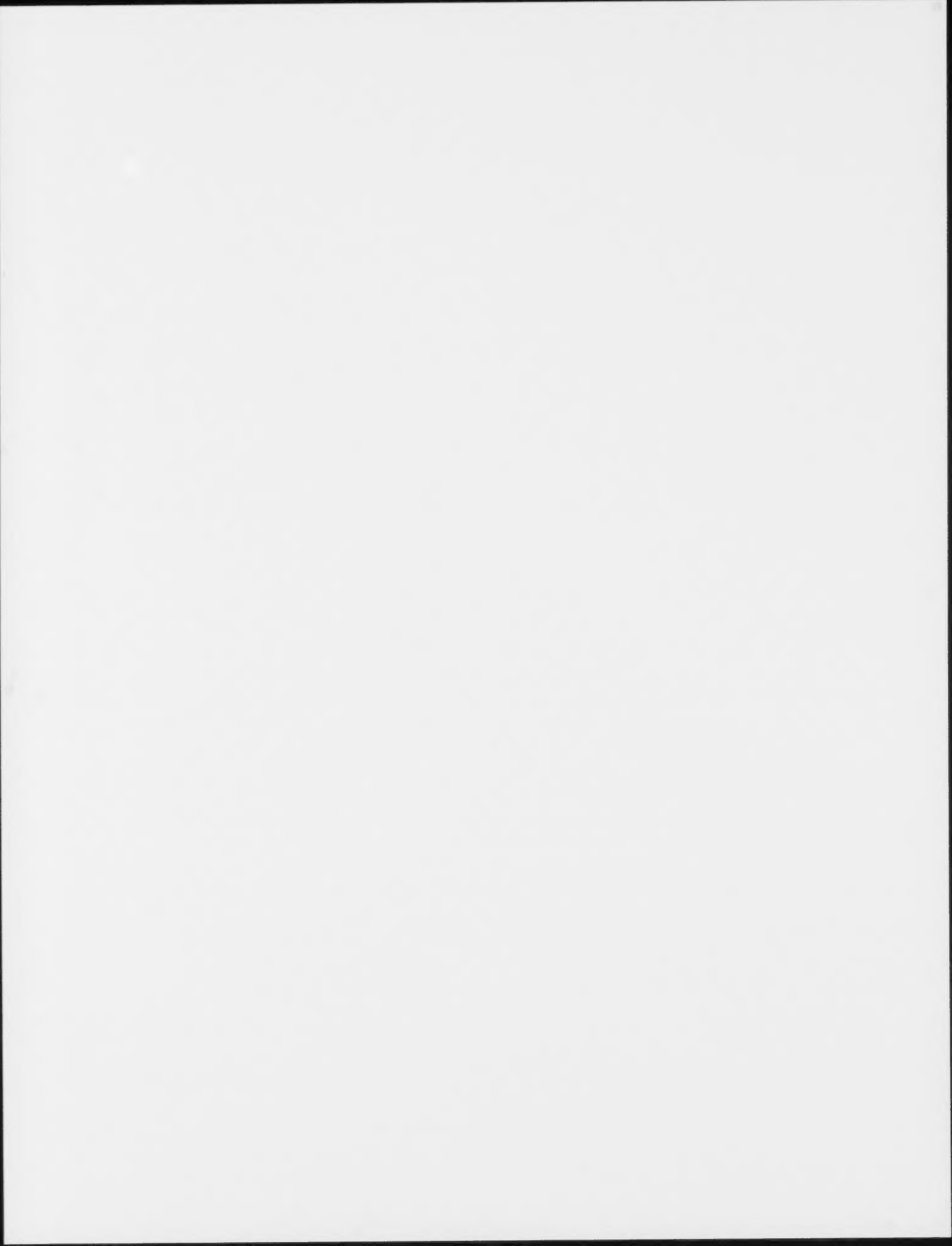


Table of Contents

Chairpersons Message	1
Section I: Organizational Overview	3
Raison d'être	3
Responsibilities	3
Organizational Priorities	6
Risk Analysis.....	7
Summary of Performance	8
Expenditure Profile	10
Estimates by Vote	10
Section II: Analysis of Program Activities by Strategic Outcome	11
Strategic Outcome: The rights of artists and producers under Part II of the <i>Status of the Artist Act</i> are protected and respected.	11
Program Activity: Certification, Complaints and Determination Program .	11
Performance Summary and Analysis of Program Activity	13
Priority 1: Deal with matters brought before the Tribunal with high quality service	13
Priority 2: Fully inform and assist stakeholders	15
Priority 3: Improve management practices	16
Lessons Learned.....	17
Program Activity: Internal Services.....	17
Section III: Supplementary Information	19
Financial Highlights.....	19
Financial Statements	19
Supplementary Information Tables	19
Section IV: Other Items of Interest	21
Organizational Contact Information	21



Chairpersons Message

I am pleased to present to Parliament and Canadians the *Departmental Performance Report* of the Canadian Artists and Producers Professional Relations Tribunal for the fiscal year ending March 31, 2011.

The Canadian Artists and Producers Professional Relations Tribunal administers a collective bargaining regime for professional self-employed artists and producers in federal jurisdiction. Under Part II of the *Status of the Artist Act*, the Tribunal defines sectors of artistic and cultural activity for collective bargaining, certifies artists' associations to represent artists working in those sectors, and deals with complaints of unfair labour practices and other matters brought forward by parties under the *Act*.



Parliament passed the *Status of the Artist Act* in 1992 as part of a commitment to recognize and stimulate the contribution of the arts to the cultural, social, economic and political enrichment of the country. The *Act* reflects the recognition that constructive professional relations in the arts and culture sector are an important element of a vibrant Canadian culture and heritage.

Since its inception, the Tribunal has defined 26 sectors of artistic activity and certified 24 artists' associations to represent them. Certified artists' associations have concluded nearly 180 scale agreements with producers, including government producers and broadcasting undertaking, since their certification.

The Tribunal has a single strategic outcome: constructive professional relations between self-employed artists and producers under its jurisdiction. In working towards its strategic outcome, the Tribunal in the past focused most of its work on certification. Most sectors are now defined, and artists' associations are certified to represent them. The work of the Tribunal is now more related to complaints and determinations, changes in the definition of sectors and in representation, and assisting parties in the bargaining process.

In addition, the Tribunal continues its efforts to ensure that its stakeholders have access to timely information about the *Act* and its implications for them, and to pertinent research resources in support of the collective bargaining process. The Tribunal focuses much of its effort on fully informing and assisting artists, artists' associations, and producers of their rights and responsibilities under the *Act* and of the services that the Tribunal can make available to them.

The Tribunal's outreach role, and the careful disposition of matters brought before it, help to promote productive professional relations in the cultural sector, and contribute to a thriving Canadian culture.

Elaine Kierans
Acting Chairperson and Chief Executive Officer
August 31, 2011

Section I: Organizational Overview

Raison d'être

Parliament created the Canadian Artists and Producers Professional Relations Tribunal to administer the professional relations provisions of the *Status of the Artist Act* for self-employed artists and producers in federal jurisdiction. The Tribunal's fulfilment of its mandate contributes to the development of constructive professional relations between artists and producers.

Responsibilities

The Canadian Artists and Producers Professional Relations Tribunal is an independent, quasi-judicial agency that administers Part II of the *Status of the Artist Act*, which governs professional relations between self-employed artists and federally regulated producers. The Tribunal reports to Parliament through the Minister of Labour. The Minister of Canadian Heritage also has responsibilities pursuant to Part II of the *Act*.

The Tribunal is one of four federal agencies that regulate labour relations. The other three are the Canada Industrial Relations Board, which deals with labour relations between private sector employers in federal jurisdiction and their employees, the Public Service Labour Relations Board, which deals with labour relations between federal government institutions and their employees, and the Public Service Staffing Tribunal, which deals with complaints from federal public service employees related to internal appointments and lay-offs.

The Tribunal's jurisdiction over producers is set out in the *Status of the Artist Act*, and covers federal government institutions, including government departments and the majority of federal agencies and Crown corporations (such as the National Film Board and the national museums), and broadcasting undertakings under the jurisdiction of the Canadian Radio-television and Telecommunications Commission. Roughly 1,200 broadcasters and 165 federal government institutions come under the *Act*.

The Tribunal's jurisdiction over self-employed artists is also set out in the *Status of the Artist Act*, and includes artists covered by the *Copyright Act* (such as writers, photographers, and music composers), performers (such as actors, musicians, and singers), directors, and other professionals who contribute to the creation of a production, such as those doing camera work, lighting and costume design. Some 100,000 artists in Canada fall within the ambit of the *Act*.

The Tribunal has the following statutory responsibilities:

- To define the sectors of cultural activity suitable for collective bargaining between artists' associations and producers,
- To certify artists' associations to represent self-employed artists working in these sectors, and
- To deal with complaints of unfair labour practices and other matters brought forward by artists, artists' associations, and producers, and prescribe appropriate remedies.

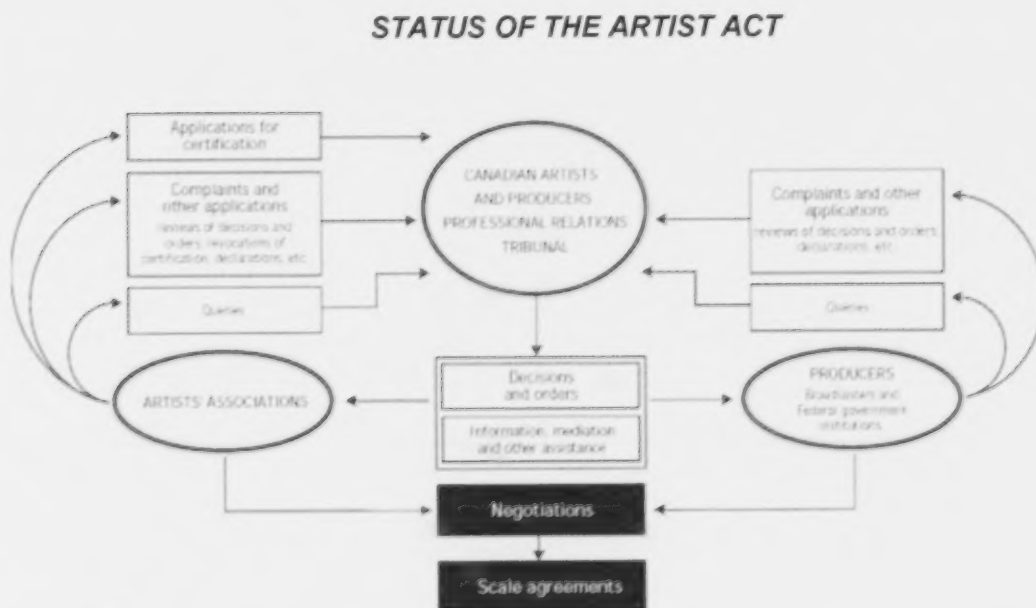
An artists' association certified under the *Status of the Artist Act* as a bargaining agent for a specific sector has the exclusive right to negotiate *scale agreements* with producers. A scale agreement specifies the minimum terms and conditions under which producers engage the

services of, or commission a work from, a self-employed artist in a specified sector, as well as other related matters. Twenty-four artists' associations have been certified as bargaining agents under the *Act*, representing 26 sectors of cultural activity.

The *Status of the Artist Act* and the Tribunal's regulations, decisions, and reports to Parliament and central agencies can be found on the Tribunal's Web site at www.capprt-icrpap.gc.ca.

Figure 1 illustrates the Tribunal's responsibilities and the key processes under the *Status of the Artist Act*, Part II.

Figure 1. Tribunal Responsibilities and Key Processes

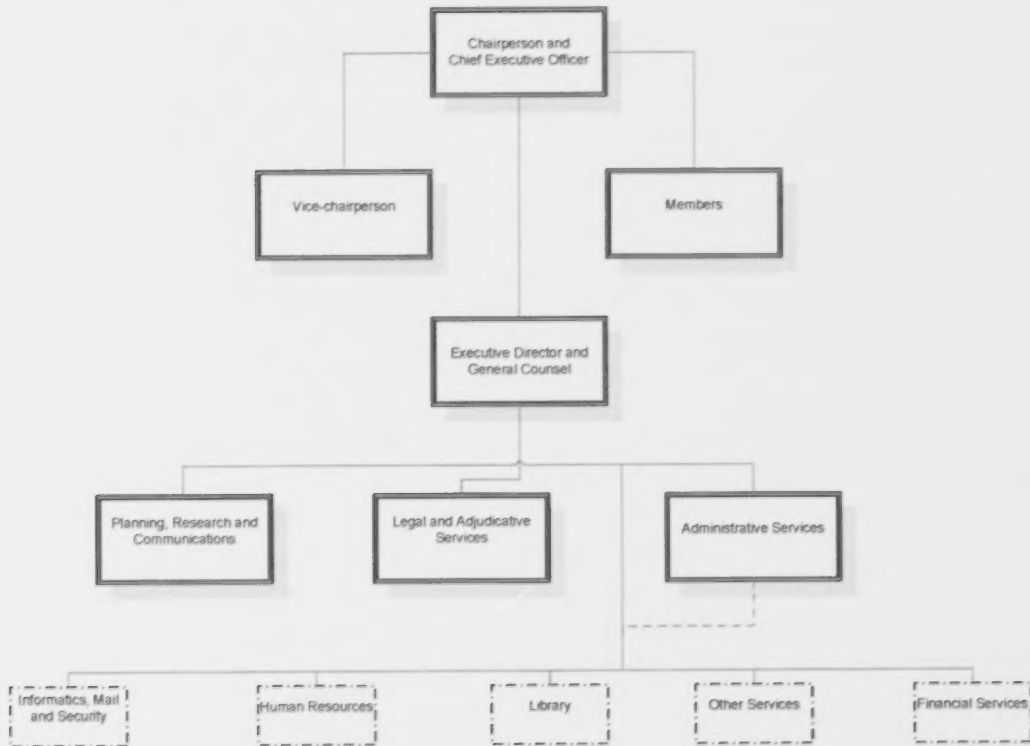


Under subsection 10(1) of the *Status of the Artist Act*, the Tribunal is composed of a Chairperson (who is also the chief executive officer), a Vice-chairperson, and not less than two or more than four other full-time or part-time members. Members are appointed by the Governor in Council on the recommendation of the Minister of Labour in consultation with the Minister of Canadian Heritage. Currently, the position of the Chairperson of the Tribunal is vacant, and the Vice-Chairperson acts as the Chairperson. The Tribunal has two other members at present. Under subsection 13(2) of the *Act*, three members constitute a quorum for meetings or proceedings of the Tribunal. The Vice-chairperson and the other members are part-time appointees.

The Executive Director and General Counsel heads the Tribunal Secretariat and reports to the Chairperson. Ten staff members (when the Secretariat is fully staffed) carry out the functions of legal counsel, registrar, planning, research, communications, and administrative services. The Tribunal has service agreements with larger federal departments for some standard corporate

services that are not required full-time, such as informatics and human resources. Figure 2 illustrates the Tribunal's organizational structure.

Organization Chart



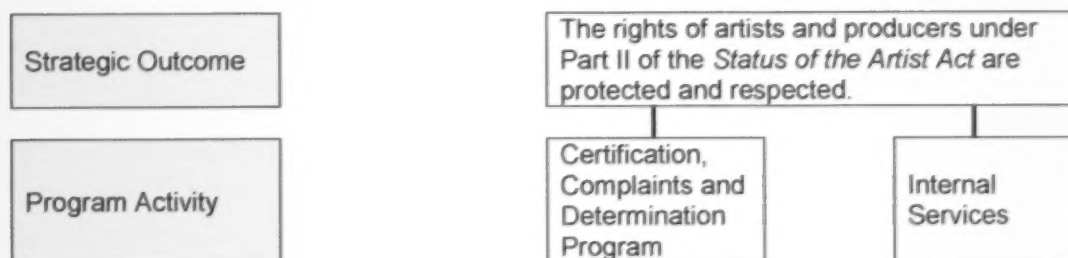
❏ Provided through service agreements or other arrangements (Please see Section II for more detail)

The Tribunal administers the following legislation and associated regulations:

<i>An Act respecting the status of the artist and professional relations between artists and producers in Canada</i> (Short Title: <i>Status of the Artist Act</i>)	S.C. 1992, c.33, as amended
<i>Status of the Artist Act Professional Category Regulations</i>	SOR 99/191
<i>Canadian Artists and Producers Professional Relations Tribunal Procedural Regulations</i>	SOR/2003-343

Strategic Outcome and Program Activity Architecture

The chart below illustrates the Tribunal's single strategic outcome program activities and the program activities that contribute to it.



Organizational Priorities

Performance/Priority Status Legend

Exceeded: More than 100 percent of the expected level of performance (as evidenced by the indicator and target or planned activities and outputs) for the expected result or priority identified in the corresponding Report on Plans and Priorities (RPP) was achieved during the fiscal year.

Met all: 100 percent of the expected level of performance (as evidenced by the indicator and target or planned activities and expected outputs) for the expected result or priority identified in the corresponding RPP was achieved during the fiscal year.

Mostly met: 80 to 99 percent of the expected level of performance (as evidenced by the indicator and target or planned activities and expected outputs) for the expected result or priority identified in the corresponding RPP was achieved during the fiscal year.

Somewhat met: 60 to 79 percent of the expected level of performance (as evidenced by the indicator and target or planned activities and outputs) for the expected result or priority identified in the corresponding RPP was achieved during the fiscal year.

Not met: Less than 60 percent of the expected level of performance (as evidenced by the indicator and target or planned activities and outputs) for the expected result or priority identified in the corresponding RPP was achieved during the fiscal year.

Priority	Type ¹	Program Activity
Deal with matters brought before Tribunal with high quality service	Ongoing	Certification, Complaints and Determination Program
Status: Met		
The Tribunal's decisions met the targets for all performance indicators.		

Priority	Type	Program Activity
Fully inform and assist stakeholders	Ongoing	Certification, Complaints and Determination Program
Status: Mostly met		
Activity was refocused during the review period, with a greater emphasis on regular written communications. Fewer meetings were held with stakeholders than had been planned.		
Priority	Type	Program Activity
Improve management practices	Ongoing	Certification, Complaints and Determination Program
Status: Met		
The Tribunal continued to improve its management practices during the review period as planned.		

Risk Analysis

The nature of the Tribunal's mandate and its business environment makes the organization relatively risk averse. The same observation could be made of any quasi-judicial organization. Accordingly, the Tribunal has in place numerous management strategies to mitigate potential risks.

Like any court or administrative tribunal, the Tribunal must be prepared to deal with highs and lows of case volume. Its services must be available to artists and producers as and when the need arises. The Tribunal has certified artists' associations to represent most sectors under its jurisdiction, so its certification work is relatively predictable. Complaints under the *Act* and references from arbitrators are less predictable and can arise at any time.

Continuing uncertainty in the world economy and rapid, unpredictable transformations in the broadcasting industry, an important area of the Tribunal's jurisdiction, potentially could have implications for the Tribunal. If economic problems result in parties having difficulty meeting

1. "Type" is categorized as follows: **Previously committed to**—committed to in the first or second fiscal year before the subject year of the report; **Ongoing**—committed to at least three fiscal years before the subject year of the report; and **New**—newly committed to in the reporting year of the Departmental Performance Report.

their obligations under the *Act* or reaching agreements under it, there may be an increase in demand for the Tribunal's services. Even certification work could increase, if unstable economic circumstances give rise to challenges to representation.

The Tribunal has traditionally been able to manage the unpredictability of caseloads by judicious planning and budgeting within its existing appropriation levels for both human and financial resources. In years where its total appropriations have not been used, the Tribunal has returned funds to the Consolidated Revenue Fund.

Summary of Performance

2010-11 Financial Resources (\$ 000)

Planned Spending	Total Authorities	Actual Spending
2,066	2,110	1,200

* Please note: Financial Resources should equal the sum of the Total line for Program Activities and Internal Services *

2010-11 Human Resources (full-time equivalents—FTEs)

Planned	Actual	Difference
10	7	3

Strategic Outcome: The rights of artists and producers under Part II of the *Status of the Artist Act* are protected and respected.

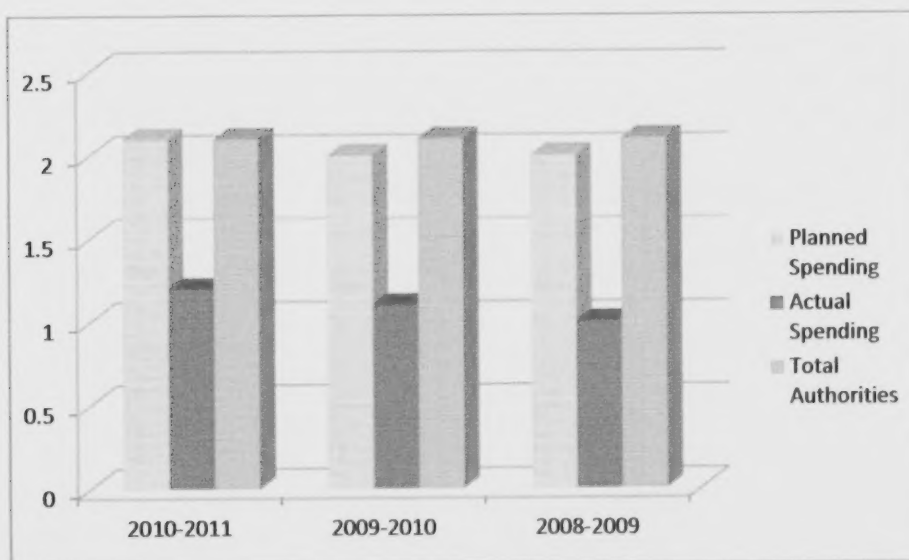
Performance Indicators	Targets	2010-11 Performance
Average time to process cases	Not to exceed 200 days	100% of cases met the target.
Fairness in case processing	75% of decisions upheld in judicial review	An application for judicial review was filed; Tribunal's decision was upheld.
Prompt response to requests for Information	Within 2 working days	100% of responses met the target.
Timely information bulletins	Within 60 days of decisions	One bulletin missed the target by 2 weeks. Information Bulletins issued on a monthly basis since that time.
Stakeholder satisfaction	Support for Tribunal and <i>Act</i>	Continued stakeholder support but frustration with limitations of the Tribunal and the <i>Act</i> .

Program Activity	2009-10 Actual Spending (\$ denomination)	2010-11 ² (\$ 000)				Alignment to Government of Canada Outcome
		Main Estimates	Planned Spending	Total Authorities	Actual Spending	
Certification, Complaints and Determination Program	702	1,199	1,199	1,593	801	Vibrant Canadian culture and heritage
Program Activity	2009-10 Actual Spending (\$ 000)	2010-11 (\$ 000)				
		Main Estimates	Planned Spending	Total Authorities	Actual Spending	
Internal Services	413	869	869	517	399	

2. Commencing in the 2009-10 Estimates cycle, the resources for Program Activity: Internal Service is displayed separately from other program activities; they are no longer distributed among the remaining program activities, as was the case in previous Main Estimates. This has affected the comparability of spending and FTE information by program activity between fiscal years.

Expenditure Profile

Tribunal Spending Trend
(\$ 000s)



Estimates by Vote

For information on our organizational Votes and/or statutory expenditures, please see the 2010-11 Public Accounts of Canada (Volume II) publication. An electronic version of the Public Accounts is available on the Public Works and Government Services Canada website.³

3. See Public Accounts of Canada 2010, <http://www.tpsgc-pwgsc.gc.ca/recgen/txt/72-eng.html>.

Section II: Analysis of Program Activities by Strategic Outcome

Strategic Outcome: The rights of artists and producers under Part II of the *Status of the Artist Act* are protected and respected.

Program Activity: Certification, Complaints and Determination Program

Program Activity Description

The Tribunal's single strategic outcome is achieved through the Certification, Complaints and Determination Program, supported by the Tribunal's internal services.

This program deals with applications for certification, revocation of certification, review, determination, and consent to prosecute, and with complaints of unfair practices, brought forward by artists, artists' associations or producers, under Part II of the Status of the Artist Act, which governs professional relations between self-employed artists and producers.

2010-11 Financial Resources (\$ 000)

Planned Spending	Total Authorities	Actual Spending
1,199	1,593	801

2010-11 Human Resources (FTEs)

Planned	Actual	Difference
7	5	2

Expected Results	Performance Indicators	Targets	Performance Status
Fair and timely resolution of cases. Stakeholders have easy, timely access to information about the <i>Status of the Artist Act</i> and their rights and responsibilities under it, and about Tribunal decisions and activities	Average number of calendar days between hearing and issue of reasons	Average time between hearing and issue of reasons does not exceed 60 calendar days	No Tribunal decision required issue of reasons. In case requiring hearing, Tribunal rendered decision day of hearing.
	Average time to process cases from application to issue of decision	Average time to process all cases from application to issue of decision does not exceed 200 days	All final decisions in the fiscal year were well within target.
	Cases are upheld on judicial review	At least 75% of cases are upheld on judicial review	There was one judicial review application of a Tribunal decision in the period. Federal Court of Appeal rejected application and thereby upheld Tribunal's decision.
	Requests for mediation assistance result in complaints resolved and in agreements reached or renewed	75% of requests for complaints mediation assistance result in complaints resolved 75% of requests for bargaining mediation assistance result in agreements reached or renewed	No parties requested mediation assistance in the review period.
	Prompt response to requests for Information	Information requests responded to within 2 working days	100% of responses met the target.
	Timely information bulletins	Information bulletins published within 60 days of decisions and other major events	A February 2010 Tribunal decision was not reported in an Information Bulletin until May 2010, missing the target by 2 weeks. Subsequently, a decision was taken to issue Information Bulletins on a monthly basis. This has been done every month since September 2010.

Expected Results	Performance Indicators	Targets	Performance Status
	Stakeholder satisfaction.	Stakeholders are satisfied, based on ongoing informal surveying	Informal surveying indicates continued stakeholder support but some frustration with limitations of the Tribunal and the <i>Status of the Artist Act</i> .

Performance Summary and Analysis of Program Activity

During fiscal year 2010-2011, the Tribunal pursued three priorities in order to achieve its strategic outcome through the Certification, Complaints and Determination Program. It continued to focus on timeliness and fairness in dealing with requests under the legislation. It continued its efforts to ensure that stakeholders have timely information about the *Act* and their rights and responsibilities under it, and about Tribunal decisions and activities, and continued to improve its management practices.

Priority 1: Deal with matters brought before the Tribunal with high quality service

High quality in processing of cases includes the work of staff, in preparing cases and providing legal advice, and the work of the Tribunal in issuing decisions.

The level of case activity in the fiscal year continues to be well within the Tribunal's capacity. Certification cases have decreased over the years since the passage of the *Status of the Artist Act*, with most sectors of artistic activity now represented by certified artists' associations. Increasingly, inquiries and cases brought before the Tribunal concern issues that arise in collective bargaining.

Eight certifications of artists' associations as sectoral bargaining agents came up for renewal; all eight were renewed. The Tribunal issued one interim and eight final decisions. At year's end, four cases were pending. Details on cases are presented in the Tribunal's annual report and its *Information Bulletins*, all available on the Tribunal's Web site at www.capprt-tcrpap.gc.ca.

The Tribunal's ability to serve its stakeholders was affected during the fiscal year by the fact that it did not have enough bilingual members to ensure quorum in hearings requiring both official languages. The Tribunal received a complaint in February, 2011, but was unable to deal with it because it had only two bilingual members. The *Act* stipulates that three members constitute a quorum for proceedings of the Tribunal, and under the *Official Languages Act*, when English and French are the languages chosen by the parties for a proceeding, every member who hears the case must be able to understand both languages without the assistance of an interpreter.

As set out in the 2010-2011 *Report on Plans and Priorities*, the Tribunal's performance measurement framework looks at timeliness and fairness. These two factors are interrelated but distinct, and require different performance indicators and measurements.

For timeliness, we use two indicators: the time taken to issue reasons for a decision after a hearing, and the total time taken to process a case, from the date an application is completed until

the date of the decision. Targets and performance information for these indicators are shown in the table above.

The first indicator is not applicable for the past fiscal year, as none of the decisions rendered by the Tribunal required reasons to be issued. In the one case requiring a hearing, the Tribunal issued its decision orally the day of the hearing.

The second indicator is based on time elapsed from the date of receipt of a completed application to the date of the final decision in the case. As shown in the table, the Tribunal's decisions were issued well within the target.

In the Tribunal's internal monitoring and evaluation, performance information is analyzed over multiple years, in order to identify trends.

The Tribunal uses the term "fairness" broadly, to encompass all its responsibilities as a quasi-judicial tribunal, such as impartiality, accessibility, integrity, and confidentiality.

We use as an indicator of fairness the percentage of Tribunal decisions upheld on judicial review. The Federal Court may review a Tribunal decision in the following circumstances:

- if the Tribunal acted without jurisdiction or beyond its jurisdiction, or refused to exercise its jurisdiction;
- if it failed to observe a principle of natural justice, procedural fairness or other procedure that it was required by law to observe; or
- if it acted, or failed to act, by reason of fraud or perjured evidence.

It is recognized that parties may be dissatisfied with Tribunal decisions but not seek judicial review, for any number of reasons, including lack of resources. Nonetheless, the Federal Court of Appeal acts as the arbiter of fairness of federal quasi-judicial tribunals, so this is an important indicator. We have set as a target that more than 75 percent of our cases are upheld on judicial review.

There was one application for judicial review in 2010-2011. It was submitted to the Federal Court of Appeal on February 23, 2011, and the Court rendered its decision on March 24, 2011, rejecting the application and thereby upholding the Tribunal's decision.

As with timeliness, we collect this information yearly but analyze it over longer periods. To date, only four of the Tribunal's decisions have been challenged in this manner. Besides the 2011 decision, two requests for judicial review were dismissed by the Federal Court of Appeal in 2000 and 2004, and a request was initiated but withdrawn in 2002.

The Tribunal is committed to maintaining and strengthening its research function. The Tribunal deals continually with new issues, and its jurisprudence is largely innovative, requiring a strong research capacity to ensure that decisions are fair and reflect the realities of the stakeholder community. Tribunal staff continued developing research resources over the course of the fiscal year, meeting with producers and artists' associations and attending industry conferences, and facilitated information and training sessions for Tribunal members on developments in broadcasting and labour relations. The Tribunal's case management database was further developed and refined over the course of the year.

Priority 2: Fully inform and assist stakeholders

The Tribunal's second priority is to fully inform and assist the artists, artists' associations, and producers that make up its stakeholder base. The Tribunal has a duty to ensure that artists, artists' associations and producers are aware of their rights and responsibilities under the *Status of the Artist Act*. For parties to benefit from the *Act*, for collective bargaining under the *Act* to take place and for the long-term objectives of the *Act* to be realized, the parties must understand the legislation.

One way that the Tribunal does this is through timely responses to inquiries. The Tribunal receives a wide variety of questions from stakeholders, dealing with subjects like jurisdiction, specifics of the various cultural industries, and how to use the *Act*. Tribunal staff members respond to these questions quickly and thoroughly, always inviting further comment or question. The Tribunal's target is to respond within 2 working days of the receipt of the inquiry. The Tribunal met or exceeded its target in 100 percent of its inquiry responses.

The Tribunal is committed to facilitating collective bargaining by making research tools and resources available to artists associations and producers. The Tribunal works in an informal partnership with Human Resources and Skills Development Canada (HRSDC) to make scale agreements readily available to stakeholders for research purposes. HRSDC runs a database known as Negotech that digitally stores collective agreements filed with the Minister of Labour. The Tribunal's website provides hyperlinks to scale agreements on Negotech. For many of the scale agreements, the Tribunal provides summaries of salient features such as provisions dealing with new media. The Tribunal added seven newly concluded scale agreements, with summaries, to the website over the fiscal year.

With respect to more general information needs about the *Act* and the Tribunal's services and activities, the Tribunal uses information bulletins, regularly-updated information on its Web site, and information sessions for stakeholders. Follow-up with stakeholders has shown that these are well received and considered useful.

Large-scale information sessions for stakeholders have in recent years given way to more tailored and customized information. The Tribunal's stakeholders have different, often quite specific, needs for information. More focused personalized information and small group or individual meetings are often a more effective way of addressing those needs. The Tribunal emphasized these more direct approaches to stakeholders, including participation in industry conferences that bring stakeholders together and allow multiple meetings and information exchanges, maximizing the effective use of Tribunal staff time. In 2010-2011, Tribunal staff used informal means to increase the knowledge and awareness of the *Act* and the Tribunal among a cross-section of stakeholders from the artists' and producers' communities. Both approaches, formal presentations and informal meetings, are useful, and the Tribunal will continue to use them both, as appropriate.

The Tribunal issued eight information bulletins in 2010-2011. The bulletins provide a variety of information, such as scale agreements added to the Tribunal's website. A decision was taken during the year to issue the bulletins on a monthly basis, to increase the availability of information to stakeholders.

The Tribunal continued revising its website to make it more helpful and accessible, and made major revisions to the website, adding links to scale agreements and summaries of agreements. The website received 41,424 hits from April 1, 2010, to March 31, 2011.

Research to support the Tribunal's work with artists' associations and producers continued to be important in 2010-2011. Developments in broadcasting and new media again dominated the work of staff during this period. Broadcasting is one of the principal areas of the Tribunal's jurisdiction, and its challenges for artists' associations and broadcasters are a continuing focus for the Tribunal. Research staff monitored and analyzed developments in broadcasting and new media throughout the fiscal year, tracking CRTC and Parliamentary initiatives and attending industry conferences. Copyright, including the debate over proposed amendments to the *Copyright Act*, was another important area of research and study during the year.

Priority 3: Improve management practices

As in previous years, the Tribunal used cost-saving agreements with providers for many services not required on a full-time basis. It contracted with the Department of Canadian Heritage for human resources services, with Industry Canada for security and mail services and website hosting, and with the Public Service Labour Relations Board for informatics support. It has arrangements with two other federal labour boards to use their hearing rooms and library services. It also contracts for the services of a financial analyst.

The Tribunal Secretariat continued to maximize its human resources, selecting multi-skilled, flexible staff capable of handling a wide variety of responsibilities. This matches the economic efficiency of the Tribunal itself: Tribunal members are part-time appointees, called on and paid only as needed, and usually bilingual, which facilitates scheduling of hearings. The Tribunal continued to provide accommodation and administrative and financial services to Environmental Protection Review Canada, thereby lowering the overall costs to the government.

The Tribunal continued to develop its management practices in 2010-2011, working on implementing government-wide initiatives and continuing work on those initiatives already implemented.

The Tribunal continued to work with and update its Human Resources Plan. It uses this plan to forecast its staffing needs, deal strategically with staffing, retention and succession issues, and mobilize and sustain the energies and talents of its members and employees, enabling them to contribute to the achievement of organizational goals.

The Tribunal has internal policies to promote excellence in performance, accountability, and workplace well-being, and a code of values and ethics as well as policies on harassment and the internal disclosure of wrongdoing. To ensure that these policies remain current and relevant, the Tribunal further refined its policy review and renewal cycle, including continued study and development of evaluation strategies and performance measurement tools.

The Tribunal's human resources and business planning are integrated, and it uses a Strategic Human Resources Plan and a Staffing Management Accountability Framework. In 2010-2011, it continued to monitor staffing actions in relation to its staffing strategies and plans, although the

small number of positions and of staffing actions hardly justifies the term “statistics” and makes identification of trends or tendencies difficult.

Lessons Learned

Since the creation of the Tribunal over 15 years ago, virtually all cases that have come before the Tribunal have involved the use of both official languages. Under the *Official Languages Act*, when English and French are chosen by the parties for a proceeding, every member who hears the case must be able to understand both official languages without the assistance of an interpreter. Given that the number of members appointed to the Tribunal is small, and that the *Status of the Artist Act* required that the Tribunal sits as a panel of three members to hear a case, it is essential that at least three bilingual members are appointed at the Tribunal in order to have a quorum of three bilingual members to hear cases.

The Tribunal was able to ensure quorum for one of the cases requiring a hearing, but only because one bilingual member whose term had expired remained seized of the case in accordance with the *Act*. The Tribunal currently only has two bilingual members. When a new application was received, requiring three bilingual members for quorum, the Tribunal was unable to hear the case, and the application was put on hold. The delay in hearing the case has a negative impact on the Tribunal's relations with its stakeholders.

Program Activity: Internal Services

Program Activity Description

Internal Services are activities and resources that support the needs of the Tribunal's operating program and other corporate obligations. They include administrative, human resources, financial, information management services, and information technology services.

The Tribunal has internal service expectations and monitors overall service performance of its internal services. The Tribunal has a sound results-oriented framework utilizing the Management Accountability Framework (MAF) and a quality assurance framework that will continue to ensure that services are conducted in a timely and cost effective manner.

The Tribunal's internal services have had to be carefully designed to take into account the extremely small size of the organization. The Tribunal obtains from other organizations some corporate services that are not required on a full-time basis. For example, it has service agreements with Canadian Heritage for human resources services, and with the Public Service Labour Relations Board and Industry Canada for informatics, security, and mail services. It has arrangements with two other federal labour boards to use their hearing rooms and library services.

2010-11 Financial Resources (\$ denomination)

Planned Spending	Total Authorities	Actual Spending
869	517	399

2010-11 Human Resources (FTEs)

Planned	Actual	Difference
3	2	1

Section III: Supplementary Information

Financial Highlights

Condensed Statement of Financial Position

As at March 31, 2011 (\$ 000)

	% Change	2010-11	2009-10
Total assets	40%	92	66
Total liabilities	7%	257	242
Equity of Canada	(7)%	(165)	(176)
Total	40%	92	66

Condensed Statement of Operations

For the year ended March 31, 2011 (\$ 000)

	% Change	2010-11	2009-10
Total expenses	3%	1,666	1,623
Net cost of operations	3%	1,666	1,623

Financial Statements

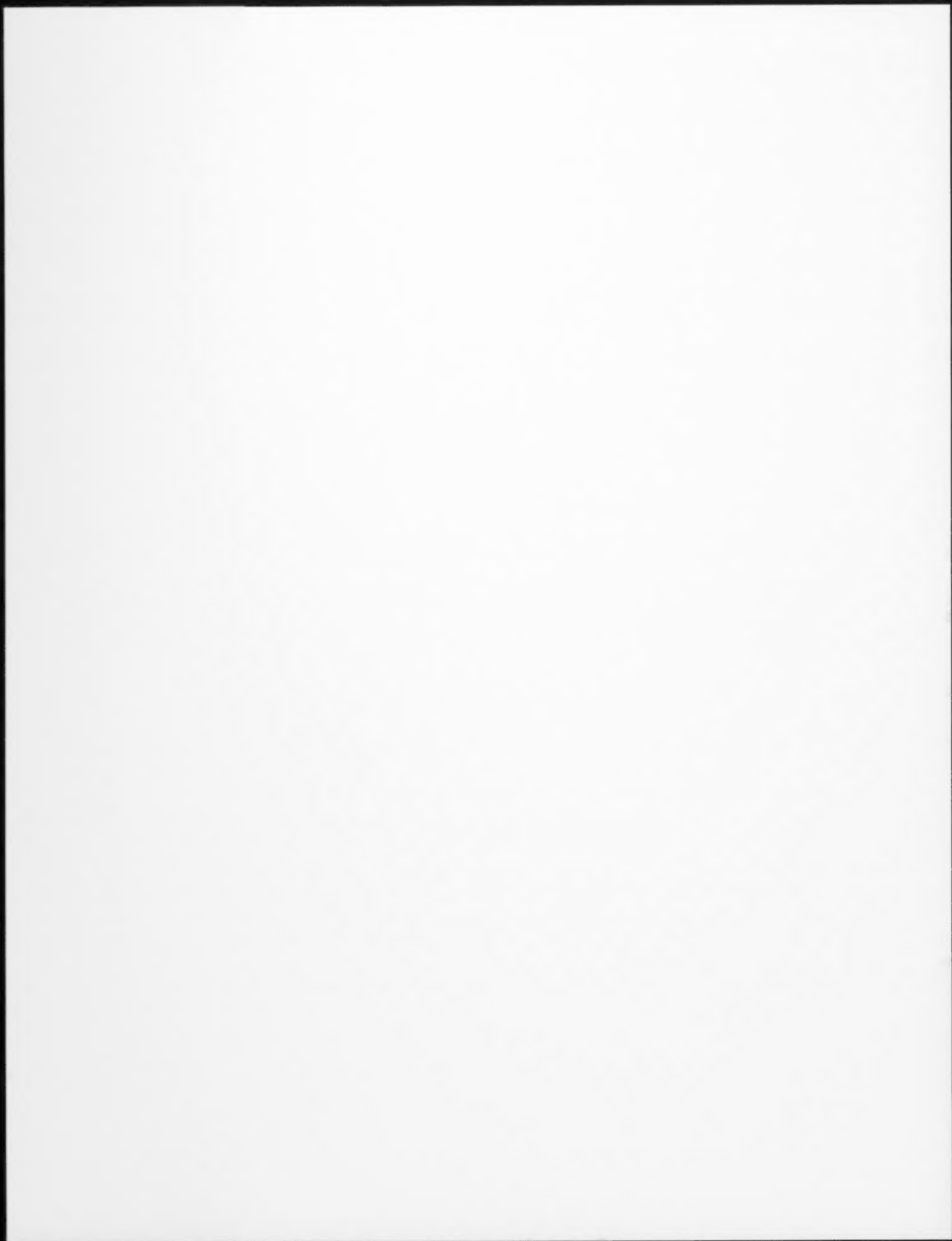
<http://www.capprt-tcrpap.gc.ca/eic/site/capprt-tcrpap.nsf/eng/tn00583.html>

Supplementary Information Tables

All electronic supplementary information tables found in the *2010-11 Departmental Performance Report* can be found on the Treasury Board of Canada Secretariat website.⁴

► Green Procurement

⁴ See 2010-11 Part III—Departmental Performance Reports (DPR): Supplementary Information (Tables), <http://www.tbs-sct.gc.ca/dpr-rmr/2010-2011/index-eng.asp>.



Section IV: Other Items of Interest

Organizational Contact Information

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